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INFORMATION FROM: Jeffrey S. Habib
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RECEIVING FACSIMILE NUMBER: 703-872-9306

COMPANY: U.S. Patent and Trademark Office

ATTN:

SUBJECT: Application No. 10/659,186
Amendment After Final Rejection
Filing a submission after final rejection
\$395.00 Fee

MESSAGE:

NUMBER OF PAGES (INCLUDING THIS PAGE): 9

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PTO/SB/17 (12-04v2)

Approved for use through 07/31/2006. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL
for FY 2005**

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

\$395.00

Complete if Known

Application Number	10/659,186
Filing Date	September 10, 2003
First Named Inventor	Kenneth W. Gatten
Examiner Name	Robert G. Santos
Art Unit	3673
Attorney Docket No.	1-730

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify): _____

Deposit Deposit Account Number: 08-2733 Deposit Account Name: Hooker & Habib, P.C.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or any underpayment of fee(s) under 37 CFR 1.16 and 1.17 Credit any overpayments

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FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		
	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fees Paid (\$)
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Small Entity	Fee (\$)
- 20 or HP =		\$25.00	\$0.00		50 25
HP = highest number of total claims paid for, if greater than 20.				200 100	
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	360 180	Multiple Dependent Claims
- 3 or HP =		\$100.00	\$0.00		Fee (\$)

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listing under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	0 / 50	0 (round up to a whole)	\$125.00	\$0.00

4. OTHER FEE(S)

Non-English specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 1.17(r) Filing a submission after final rejection

\$395.00

SUBMITTED BY

Signature	<i>Jeffrey S. Habib</i>	Registration No. (Attorney/Agent)	42,615	Telephone	717-232-8771
Name (Print/Type)	Jeffrey S. Habib		Date	June 30, 2005	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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AMENDMENT TRANSMITTAL LETTER (Small Entity) Applicant(s): Kenneth W. Gatten				Docket No. 1-730	
Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/659,186	09/10/2003	Robert G. Santos	22209	3673	7490
Invention: Cooling Mattress for Sunbathing					
<u>COMMISSIONER FOR PATENTS:</u>					
Transmitted herewith is an amendment in the above-identified application.					
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27					
The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	7 -	20 =	0	x \$25.00	\$0.00
INDEP. CLAIMS	1 -	3 =	0	x \$100.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____. <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. <input type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
<i>Jeffrey S. Habib</i> <small>Signature</small>					
<small>Dated: June 30, 2005</small>					
<i>By Facsimile</i>					
<div style="border: 1px solid black; padding: 5px;"> I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ <small>(Date)</small> </div>					
<small>Signature of Person Mailing Correspondence</small>					
<small>Typed or Printed Name of Person Mailing Correspondence</small>					

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Attorney's Case No.: 1-730

JUN 30 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kenneth W. Gatten Examiner: Robert G. Santos
Serial No: 10/659,186 Art Unit: 3673
Filed: September 10, 2003 Confirmation No.: 7490
Title: Cooling Mattress for Sunbathing

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AFTER FINAL REJECTION

Dear Sir:

In response to the Office Action dated March 30, 2005, said action being final, Applicant respectfully requests entry of the following Introductory Comments, Amendments to the Claims, and Remarks.

Introductory Comments are on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims that begins on page 3 of this paper.

Remarks begin on page 5 of this paper.

06/30/2005 TL0111 00000040 082733 10659186
01 FC:2809 395.00 DA

Serial No. 10/659,186
Applicant: Kenneth W. Gatten
Amendment dated June 30, 2005
Attorney Docket No.: 1-730
Confirmation No. 7490

Introductory Comments

Claims 21-26 are pending. This amendment cancels claims 21, and 23-24, amends claim 22 and 25-27, and adds new claims 28-30. After this amendment claims 22 and 25-30 are pending. Claim 22 is an independent claim, and claims 25-30 depend from claim 22.

Claim 22 was indicated as having allowable subject matter. This amendment places the application in condition for allowance by rewriting claim 22 as an independent claim having the limitations of the base claim and any intervening claims.